

Remarks:

Reconsideration of the application is requested.

Claims 1-5 remain in the application.

In item 3 on pages 2-5 of the above-mentioned Office action, claims 1-5 have been rejected as being unpatentable over Hummel et al. (US Pat. No. 5,823,109) in view of Greiner et al. (US Pat. No. 4,397,236) under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 5 call for, inter alia:

said first distributor roller being in rolling contact simultaneously with two ink applicator rollers, and being axially oscillatable more slowly and disposed more closely to the printing form than is the second distributor roller.

Hummel et al. do not disclose that the first distributor roller is axially oscillatable more slowly than is the second

distributor roller (see the paragraph bridging pages 2 and 3 of the Office action).

The corresponding German Patent DE 3 034 644 C2 on which the US Patent to Greiner et al. is based is already mentioned in the specification of the instant application (see page 1, lines 11 to 21 of the specification).

The Examiner incorrectly asserts on page 4, lines 1 to 4 of the Office action that the oscillating mechanism shown in Figs. 2, 2a of Greiner et al. serves the purpose of axially driving the distributor rollers 15, 16. To the contrary, this oscillating mechanism serves the purpose of axially driving the applicator rollers 20 (see column 2, lines 19 to 21 and column 3, lines 17 to 38).

Based the Examiner's assumption that a person skilled in the art would modify the inking unit in Hummel et al. with the oscillating mechanism from Greiner et al., one would reach the following results: since Greiner et al. teach an oscillating mechanism for driving the applicator rollers, i.e. the rollers which roll off on the printing form, a person skilled in the art would assign the oscillating mechanism to one of the applicator rollers 10, 12, 14, or 16 in Hummel et al. The person skilled in the art would thus not deviate from the teaching in Greiner et al. and thereby assign the oscillating

mechanism to one of the friction rollers 20, 22 in Hummel et al., as the Examiner incorrectly alleges.

Greiner et al. actually lead a person skilled in the art away from the object of the invention of the instant application. According to the invention of the instant application, the axial oscillation of the roller located closer to the printing form is slower than the axial oscillation of the roller placed further away from the printing form. In Greiner et al., the applicator roller (form roller) 20 is placed closer to the printing form or printing plate (plate cylinder 17). However, Greiner et al. state that it would be particularly advantageous if the closer applicator roller 20 oscillates axially faster than the friction roller 15 which is located further away (see column 3, lines 62-63). This is exactly the opposite of the invention of the instant application. This gross difference would also exist in the inking unit, which would result from the combination of Hummel et al. and Greiner et al. as presumed by the Examiner. In this inking unit (see Fig. 1 of Hummel et al.), the applicator roller 16 (which corresponds to the applicator roller 20 in Greiner et al.) which is located closer to the printing form (plate cylinder) 2 would oscillate axially faster than the friction roller 26 (which corresponds to the friction roller 15 in Greiner et al.) which is located further away from the printing form.

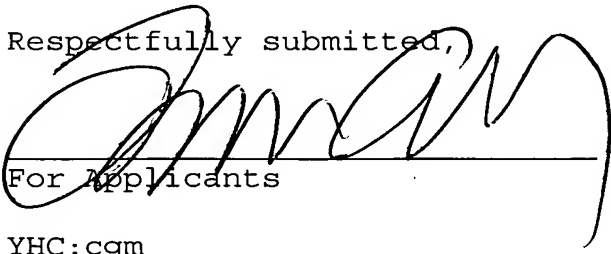
It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 and 5. Claims 1 and 5 is, therefore, believed to be patentable over the art and since all of the dependent claims are dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-5 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,


For Applicants

LAURENCE A. GREENBERG
REG. NO. 29,308

YHC:cgm

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Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101